

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

Robert Summerlin, )  
Plaintiff, ) C/A No. 3:09-1627-MBS  
vs. )  
Michael J. Astrue, Commissioner of )  
Social Security, )  
Defendant. )  
\_\_\_\_\_  
)

**ORDER**

Plaintiff Robert Summerlin brought this action to obtain judicial review of a final decision of Defendant Commissioner of Social Security denying Plaintiff's claims for disability benefits. See 42 U.S.C. § 405(g). On January 4, 2010, Defendant filed a motion to remand pursuant to sentence four of 42 U.S.C. § 405(g), seeking remand to Defendant for a finding that Plaintiff became disabled on January 29, 2007, and the issuance of a partially favorable decision (Entry 15) Magistrate Judge Joseph R. McCrorey issued an order granting the motion to remand on January 11, 2010 (Entry 17).

This matter is before the court on Plaintiff's motion for an order awarding attorney's fees under the Equal Access to Justice Act (EAJA), 42 U.S.C. § 2412(d). Plaintiff seeks attorney's fees in the amount of \$4,900.00 (28.0 hours X \$175.00 per hour). By stipulation filed January 29, 2010, the parties informed the court that they have agreed to payment of \$4,806.00 in attorney's fees. Accordingly,

IT IS ORDERED that Plaintiff's motion for fees under the EAJA (Entry 19) be **granted** in the amount of \$4,806.00.

**IT IS SO ORDERED.**

/s/ Margaret B. Seymour  
United States District Judge

Columbia, South Carolina

March 2, 2010.